

Delegate Kiefer: On page 4, section 1.17, Collective Bargaining, strike out all of lines 39 through 43, inclusive, and insert in lieu thereof the following:

"Persons in private employment shall have the right to organize and bargain collectively through representatives of their own choosing to the extent prescribed and as regulated by law. Persons in public employment shall have the right to organize, present to and make known to the State, or any of its political subdivisions or agencies, their grievances and proposals through representatives of their own choosing."

THE PRESIDENT: The Amendment is submitted by Delegate Kiefer. Is there a second?

*(The amendment was duly seconded.)*

THE PRESIDENT: Delegate Mentzer seconds.

The Chair recognizes Delegate Kiefer to speak to the amendment.

DELEGATE KIEFER: Mr. President, before I start, some delegates do not have a copy. I would like my time to start when everyone has a copy.

THE PRESIDENT: Any delegate who does not have a copy of Amendment HH, please indicate, and the page will bring you a copy.

For what purpose does Delegate Bamberger rise?

DELEGATE BAMBERGER: A parliamentary inquiry, Mr. President.

THE PRESIDENT: State the inquiry.

DELEGATE BAMBERGER: Is Amendment HH in order, Mr. President, or Amendment No. 15? It seems it puts before this house questions which have just been debated, and considered.

THE PRESIDENT: I do not think it does, Delegate Bamberger.

DELEGATE BAMBERGER: Mr. President, does the language on lines 8 and 9 effect a change in Amendment No. 13?

THE PRESIDENT: Oh, yes, but the whole tenor of the amendment, as the Chair reads it very quickly, is quite different from the section as presently before the Convention, as amended. This deals now in two categories with persons in private employment, and persons in public employment, whereas the other amendment did not.

Have all delegates a copy of Amendment No. 15? Page, please take Amendment No.

15 to Delegate Sosnowski. Any other delegates who do not have it?

For what purpose does Delegate Bennett rise?

DELEGATE BENNETT: A parliamentary inquiry, Mr. President.

THE PRESIDENT: State the inquiry.

DELEGATE BENNETT: To inquire whether or not this amendment is divisible?

THE PRESIDENT: In what manner do you suggest the division?

DELEGATE BENNETT: A division between the language relating to private employment, and the language relating to public employment.

THE PRESIDENT: I do not believe the amendment would be divisible because if you divided it you would have two separate amendments, each of which would be a separate substitute for section 1.17, and the test of division is whether either can stand alone.

I do not believe they could. In other words, the sponsor does not intend to have each standing alone, as a substitute for 1.17.

DELEGATE BENNETT: May I then ask the sponsor a question?

Assuming that—

THE PRESIDENT: I think you ought to give him the floor first.

DELEGATE KIEFER: Mr. President and ladies and gentlemen of the Convention, we had had a great deal of heat on this subject and not an awful lot of light, and I confess it is particularly my fault.

This Committee did not get into the study of law on this issue because, as I pointed out in the memorandum which you received and which I worked on over the weekend, and which I am afraid many of you have not read, we looked at this thing only from the point of view that it was statutory and, furthermore, because it dealt with a group of people as against another group or people it did not belong in the bill of rights. We, therefore, overwhelmingly rejected it.

I have over the weekend made a study of it. I am not an expert in labor law. I am a two-day wonder on this. There are only four states who have anything in their charters about anything to do with the right to organize and to bargain. One is the State of Missouri, and they have the